

Case 8308

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of

Paul J. Rennie et al.

Serial No.: 09/692,634

Confirmation No.: 8314

Filed: October 19, 2000

Title: Compositions for Prevention and Treatment of

Cold and Influenza-Like Symptoms and Their
Methods of Use

Group Art Unit: 1617

Examiner: S. Sharareh

RESPONSE UNDER 37 CFR 1.111

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In response to the June 25, 2003 Office Action in the above-identified case, please consider the following remarks.

REMARKS

Claims 1-9 and 20-30 remain in the application. No additional claims fee is due.

Invention Synopsis

The present invention is directed to respiratory tract compositions, particularly nasal compositions, which provide for the prevention and treatment of cold and influenza viruses, wherin the claimed compositions comprise a combination of pyroglutamic acid and a specifically defined organic acid for the treatment of cold and influenza viruses.

It has been found that nasal compositions containing a combination of pyroglutamic acid and an organic acid having a pKa value of from about 3.0 to about 5.0 can provide a surface pH of the nasal cavity tissue to create a nasal environment that is hostile to cold and influenza-like viruses. Nasal cavities having a pH in the range of from about 3.5 to about 5.5, which is provided by the compositions of the present invention, have been found to deter viruses which can lead to respiratory tract viral infections that can result in cold and influenza like symptoms.